

ENTERED

April 12, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ERIC TICE,	§	CIVIL ACTION NO.
Plaintiff,	§	4:20-cv-02389
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
HOLLAND	§	
ACQUISITIONS INC,	§	
Defendant.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

This case involves claims by Plaintiff Eric Tice against Defendant Holland Acquisitions, Inc to recover alleged unpaid overtime wages under the Fair Labor Standards Act. See Dkt 1.

The case was referred for disposition to Magistrate Judge Sam S. Sheldon. Dkt 13. The Magistrate Judge considered a motion for entry of default by Tice and recommended that it be granted, finding all prerequisites under Rule 55(b)(2) of the Federal Rules of Civil Procedure to be met. See Dkts 14, 15, 16. Holland hasn't appeared in this lawsuit and thus didn't file an objection.

The district court conducts a *de novo* review of those conclusions of a magistrate judge to which a party has specifically objected. See 28 USC § 636(b)(1)(C); *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989). To accept any other portions to which there is no objection, the reviewing court need only satisfy itself that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1420 (5th Cir 1996); see also FRCP 72(b) Advisory Comm Note (1983).

The Court has reviewed the pleadings, the record, the applicable law, and the recommendation. No clear error appears on the face of the record.


The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 92.

The motion for entry of default by Plaintiff Eric Tice is GRANTED. Dkt 14.

The Clerk is ORDERED to enter default against Defendant Holland Acquisitions, Inc.

SO ORDERED.

Signed on April 12, 2021, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge